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PETITION AGAINST PHYSICIAN DENIED

OFFICER IN DISTRICTS OF KONA
UPHELD BY COMMITTEE
OVER PETITION.

Early in the session of the legislature a petition was introduced signed by 196 residents of North and South Kona, Island of Hawaii, praying for the discharge of the government physician stationed there. Doctor Goodhue, physician in charge of these two districts, is a hard worked man and the fact that there is some complaint against him is not surprising when the area he is supposed to cover is understood to be without railways of any kind and the roads none of the best.

The petition was referred to the health and police committee of the house, after its introduction by Representative Makekani, and yesterday the committee made its report, which was approved, the petition in consequence being refused. The report in part is as follows:

"After careful consideration of the petition and having had a number of witnesses brought before it, including one of the petitioners therein, we find that there are no good grounds for his (the physician's) discharge, but what we do find is that it is almost impossible for one physician to serve the people in the way that they should be served, where a territory as large as the districts of North and South Kona, said to be sixty miles in extent, is under his sole charge, and more so when the only means of travel is by carriage.

"We therefore suggest that the board of health find some means of remedying matters, either by the appointment of two physicians for these districts or the furnishing of some means of quick transportation.

"We find that the present government physician there is doing all he can for the relief of the sick in said districts, and therefore report that we recommend that the prayer of this petition be not granted."

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CUT DOWN SALARIES IN CIRCUIT COURT

AMENDMENTS TO SENATE BILL
BY HOUSE COMMITTEE
EXTENSIVE.

Things were done to senate bill number 47 by the finance committee of the house yesterday, and it was so amended that the senate will have some trouble in recognizing it when it is returned for concurrence. As amended the bill passed second reading in the house and will be considered on third reading today.

The bill deals with the receipts and expenses of the circuit court, setting salaries and providing for expenses. It was in regard to the salary schedule that the finance committee wielded the axe, but what was saved from the salaries was added to the general expense fund. The report was in part as follows:

"That after careful consideration of the above bill your committee recommends the following amendments:

"Insert the words and figures 'Probation officer for girls (\$85). \$1020' between lines six and seven of the second page of this bill.

"Add the word 'dependents' after the word 'court' in line eight of the second page thereof.

"Insert the words and figures 'Chinese interpreter (\$125). \$1500' between the lines ten and eleven of the second page thereof, and immediately under this insertion further insert the words and figures 'Portuguese interpreter (\$125). \$1500,' thus adding two new lines between lines ten and eleven.

"Strike out the figures '(\$175)' after the word 'clerk' in line five of the third page thereof, and insert the figures '(\$150)' and strike out the figures '(\$2100)' in the same line and insert in lieu thereof the figures '(\$1800)'.
"Strike out the figures '(\$150)' after the word 'stenographer' in line six of the third page thereof and insert the figures '(\$140)' and strike out the figures '(\$1800)' in the same line and insert in lieu thereof the figures '(\$1600)'.
"After the word 'messenger' in line eight of the third page thereof strike out the figures '(\$125)' and insert the figures '(\$115)' and strike out the figures '(\$1500)' in the same line and insert in lieu thereof the figures '(\$1450)'.
"After the words 'law books' in line fourteen of the third page thereof strike out the figures '(\$100)' and insert in lieu thereof the figures '(\$250)'.
"After the words 'court expenses' in line fifteen of the third page thereof strike out the figures '(\$4000)' and insert in lieu thereof the figures '(\$5000)'.
"With these amendments your committee recommends the passage of the bill."

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GOVERNOR'S SECOND MESSAGE WITH VETO

SENATE BILL CONTAINED FLAW
AND HOUSE BILL TAKES
ITS PLACE.

Governor Frear sent his second veto message to the legislature yesterday, eliminating senate bill number 99, although not the principal it stood for, from the statutes, for as soon as the veto was sustained another bill was introduced in the house to accomplish the same purpose as bill number 99, except that it follows the lines laid down in the veto message.

The bill which called forth the veto provided a method by which a corporation could reduce its capital stock, one certain instance of or desire to do so being responsible in the first place for the bill. The bill was particularly technical and was carefully drawn to authorize the reductions, but even at that it had flaws which the Governor was quick to pick.

The Governor's message was in part as follows:

"The object of this bill is to authorize reductions on both the capital and the capital stock of corporations, but it is at least doubtful whether it accomplishes these purposes. The bill is objectionable also because of its uncertainty and because it contains a provision that might operate unfairly to minority shareholders.

"Capital and 'capital stock' are often confused, each being used in the sense of the other or in both senses, but when properly used they signify different things. One is actual property; the other, merely a nominal representation of it.

"In the first two paragraphs of the present bill the words 'capital stock' seem to be used in their more appropriate sense, while in the third paragraph the word 'capital' seems to be used interchangeably in both senses. It is only the first paragraph that purports to grant the authority desired; and that, in conformity with the title of this act, purports to grant authority only to reduce the capital stock. If the capital also may be reduced, it is only by uncertain inference from the language of the act or as a legal corollary to the reduction of the capital stock irrespective of the language of the act.

Too Uncertain.

"The act is too uncertain to justify placing it upon the statute books. One of its objects is to remove uncertainties in the present law; it should not add other uncertainties. Legislation upon an important branch of corporation law should be clear.

"Moreover, the act provides that in case of a reduction by surrender or retirement of outstanding stock, the shareholders shall be entitled to participate pro rata 'unless the resolution authorizing the reduction shall otherwise provide.' Either this provision would be unconstitutional, as injurious affecting vested rights or contract obligations, or else it would permit three-fourths of the shareholders to take an unfair advantage of the remaining fourth, contrary to established salutary principles of corporation law. The desired ends can easily be attained by the enactment of another act."

BITTER WORDS HEARD OVER PRIVATE FIGHT

There was a long and hot fight in the house yesterday over the bill introduced by Representative Yates, H. B. No. 36, providing for the extension of quo warranto proceedings and enabling a judge to issue a writ upon application without concurrence from the attorney-general or the Governor. At times the fight became bitter.

Yates defended his bill, upon which a divided committee report had been made, during which he bitterly attacked the rapid transit company of this city for what he declared was its unauthorized use of certain streets in Honolulu and the carrying of freight.

Representative Castle led the fight against the bill and defended the company, pointing out in the Revised Laws the clauses under which the company is operating, besides the rights given by charter.

"This bill was brought solely for the purpose of getting back at the rapid transit company," declared Castle. "It is a matter of personal spite, in which the Hustace-Peck company is sore because it believes we are cutting into its business, carrying freight.

"Only two quo warranto writs have been applied for in this Territory in five years, and they were against this company and were denied by the attorney-general, the Governor and by President Taft. The legislature should be ashamed of itself to take up the fight of a private firm against the company when that firm has legal redress, if deserving, under the law."

"It's pretty near time to call this country a corporation country, instead of a free country," remarked Yates. The motion to pass the bill at third reading was lost by a vote of nine to nineteen.

WOMEN TO HOLD OFFICE.

DENVER, April 6.—Thirteen women will hold important municipal offices in Colorado as a result of last Tuesday's elections. Pueblo, the second largest city in the State, elected a woman auditor. Leadville, Telluride, Idaho Springs, Greeley and Montrose, all of them important places, elected women treasurers, as did also the smaller towns of Fairplay and Ridgway. Colorado City and Las Animas elected women city clerks, and Durango a woman alderman. The little town of Alamosa will have two women city officials, the city clerk and treasurer.

There are four women members of the Colorado legislature, and one of the commissioners of the county of Denver is a woman.

RECIPROCITY IS FORMALLY PRESENTED

REPRESENTATIVE AT CAPITAL
HAD BUSY TIME
YESTERDAY.

WASHINGTON, April 15.—The agreement made between the American Department of state and the representatives of the Canadian government for reciprocity in trade between the two countries, which must be sanctioned by congress, was formally laid before the members of the house yesterday.

The measure has been endorsed by the Democratic majority in caucus and will pass. Its fate depends on this session, as it did in the last session, upon the senate.

Representative Hardwick introduced in the house a bill to repeal the Fourteenth Amendment to the Constitution of the United States, under which negroes were first given the right to vote, and which reversed the decision in the noted Dred Scott case.

Representative Baker introduced in the house a resolution calling upon the secretaries of state and war for all correspondence relating to Japanese immigration into the United States.

The house unanimously passed the resolution calling for publicity before election of the details of campaign contributions of individuals or organizations.

PERMITS SHERIFFS TO PRACTISE LAW

Every delegation in the house split over the question of whether sheriffs and their deputies should have the right to practise law while holding office. The bill repealing the act which prohibits this was passed yesterday by a vote of sixteen to twelve, but before this happened there was enough oratory spread over the hours to pass half a dozen bills.

Sheldon held that it was unsafe to permit a sheriff or a deputy sheriff to practise law, because he could go to a Chinese firm and solicit its business and the firm would not dare to refuse. He stated that it would be a great incentive to graft.

Coney, however, stated that to permit these officers to practise might well result in getting more honest men to hold the positions.

"If you keep a man down on the grindstone," he said, "with only a salary to depend upon he is under a greater temptation to graft than if he is permitted to legitimately earn money outside, then he is better satisfied. The law as it stands on our books today is an unjust law."

After a lot more discussion along the same lines on both sides the bill passed third reading.

WON'T BELIEVE DEATH DUE TO FILTHY POI

A number of resolutions were introduced in the house Saturday in connection with cholera and poi. One by Representative Archer is to the effect that there is no proof that the death of Apuana, the first victim of the new outbreak, was due to cholera, or that if it was that the eating of poi is responsible. The resolution demands the employment of experts to determine the cause of death and to analyze the poi at the expense of the legislative fund.

Archer in an excited speech hinted at conspiracy against the poi shops. He wanted to know, if Apuana really died from the result of eating poi, why his wife and children, who also ate it, have not died.

He wound up in a soul stirring peroration about something being wrong somewhere and the poor Hawaiian being made to pay the penalty by having to go without poi.

Representative Coney, chairman of the health committee, warned the house that the cost of carrying out the resolution would be great. This remark brought forth more eloquence, but if the legislators find that the money set aside by the Territory for their use must go to pay for poi examinations, there may be less enthusiasm. The resolution was referred to the health committee.

Another resolution introduced was a request to the board of health to open all the poi shops possible to break the monopoly of the Kaili factory, which asserts the resolution does not turn out such clean poi as the shops now closed do. This resolution passed.

DEATH CLAIMS YOUNG WIFE OF W. BATTERSBY

(From Monday's Advertiser.)

Yesterday evening at seven o'clock death carried off the young wife of William Battersby, then when there is not a better liked young fellow in Honolulu. The young couple had only been married a little more than four months and the sudden death of the bride has caused the greatest sympathy to be extended to the bereaved husband.

As Miss Ethel French, the deceased was well known in Honolulu, and she numbered her friends by the thousands. When, a few months ago, she married William Battersby, many were the wishes extended for a long and happy life. Now the end has come and the young husband can only be offered the deepest sympathy of all his friends.

Jack Grace, who was in Honolulu last year with his moving pictures of several fights, is on his way to South Africa. Grace showed in Manila, Hong Kong, Yokohama, Calcutta and Bombay. He then started for Cape Town, and he intends to tour the whole of the "dark" continent.

WILL INVESTIGATE OLD WATER RIGHT

HUTCHINSON SUGAR PLANTATION
CHARGED WITH TAKING
POSSESSION.

There seems to have been some real water as well as fire behind the smoke which called forth house resolution 77, introduced by Representative Yates of Hawaii, and charging the Hutchinson Sugar Plantation Company with taking possession of the water in certain springs in Waialeale, in the district of Kau, to the detriment of natives who depended upon this water for domestic purposes.

The original resolution was tabled by the house Saturday, but a concurrent resolution was introduced by the committee on public lands, to which it had been referred. The committee made an extensive report in connection with the original resolution and the concurrent resolution it submitted, and which was adopted. The report in part is as follows:

"Your committee has had this resolution under consideration for a long time. It has heard several parties from the district of Kau who are conversant with the condition of affairs in relation to the Waialeale spring water. Your committee also heard the commissioner of public lands and the attorney-general of the Territory in this connection. Your committee obtained from the commissioner of public lands a copy of the lease executed by the Hutchinson Sugar Plantation Company, letting these lands to the said company from the first day of April, 1889, to 1914, wherein we find a reservation of the legal rights of the native tenants in conformity with section 366 of the Revised Laws of Hawaii.

"Your committee, from the evidence adduced during the several hearings on the matter, is of the opinion that the natural course of the Waialeale stream was diverted by the said company, thereby entailing unnecessary hardship on the native tenants by requiring them to go great distances in order to obtain water, which, under the lease, was reserved for their use.

"Your committee has, therefore, prepared a concurrent resolution requiring the attorney-general and the commissioner of public lands to forthwith proceed to take all necessary legal steps for the purpose of adjudicating the water rights in question, which resolution is herewith submitted to this house and recommended to be adopted."

Concurrent Resolution.

Be It Resolved by the House of Representatives of the legislature of the Territory of Hawaii, the Senate concurring, That the attorney-general and the commissioner of public lands be and they are hereby directed to forthwith proceed to take all such legal steps as may be required for the purpose of adjudicating the matter of the Waialeale spring water rights, in the district of Kau, Island of Hawaii.

KEPOKAI IS NOW RECOVERING

Maui News:—Wailuku was thrown into some excitement Tuesday afternoon when a hurry call was sent for a doctor from the district court. Citizens hurried from all directions, and deep concern was written on every face when it was learned that Judge Kepoikai had been stricken down with apoplexy, while arguing a case before Judge McKay. The judge had appeared to be in his usual good health. He had just finished addressing the court, and turned toward the door, when he collapsed and fell in his tracks without uttering a sound. Doctors Osmer and Weddick both hurried to the side of the stricken man and together with other willing hands worked heroically over the judge for some time. He was carried to his home, where he rallied quickly, and in a remarkably short time had regained consciousness.

The judge was on his feet again the next day, and his many friends will be glad to learn that the doctors pronounce him out of danger from any immediate recurrence of the trouble. He will be confined to the house for some time, and his hearty laugh and cheering word will be missed from the streets.

CLOTHING WANTED FOR NEWCOMERS

Women and children immigrants among those on Quarantine Island are suffering from a lack of clothing, the women because they have been separated from their baggage through necessity. The little children, a number of whom are sick, are particularly in need of more clothing and if those who have either women's or children's garments to spare could send them to the quarantine hospital, care of Quarantine Island, the favor would be greatly appreciated.

There is considerable sickness among the children in quarantine, but the adults are reported in good health.

UNCLE SAM PROHIBITS BRASS BUTTON SOUVENIR

WASHINGTON, April 7.—No more may the gallant trooper whip a shining brass button from his uniform and chivalrously pin it on the palpitating bosom of his lady love. The practice has cost Uncle Sam a pretty sum annually, and must be stopped. The war department has issued a bulletin ordering that in future buttons must be accounted for, and may not be dropped when worn out. These, as well as lost and broken buttons, are considered a permanent part of the uniform and must hereafter be reported when lost or they become unaccountable.

DECEIVE BOARD BY CONSPIRACY

HAWAIIANS THROW EVERY HINDRANCE POSSIBLE IN WAY
OF OFFICIALS.

(From Monday's Advertiser.)

One more case of cholera was added to the new list yesterday when Kahuna Kamaha, a road laborer in Kapalama, died. His case was discovered Saturday afternoon and removed to the quarantine hospital as a suspect death coming yesterday morning. His case has been proved.

His death has shown still more clearly the condition that has been facing the health authorities for the past month, that being that the Hawaiians are joined in an understood and complete conspiracy to withhold all possible information from the board of health and its agents, and to hinder them in every way possible with wrong information, even going so far as to conceal cases. Saturday's and yesterday's developments took a new turn, that of attempting to mislead the federal doctors concerning the source of infection.

Dr. Donald H. Currie, who, with Moses T. Clegg, is cooperating with the board of health on orders from the federal government, in its endeavors to trace out the source of infection, reports that the tracing of the past few cases have been attended with all the hindrance that could be thrown in his way and with what appears to be a deliberate design to affect the Kaili poi factory. It is well known that the Hawaiians have recently begun to claim that the Kaili factory poi is the worst in the city, most of them preferring the Chinese made product, and charges were made yesterday, probably totally untrue, that the hands of the workers in that factory were covered with sores.

The last case on Punchbowl street gave vivid illustration of this fact. The wife of this victim swore that they had taken their poi from the Kaili factory, notwithstanding the fact that there was a poi shop right next door in operation. It was so extremely doubtful that the man should spend ten cents carfare to go that distance for fifty cents worth of poi that the officials, knowing the character they were dealing with, flatly disbelieved it, and afterwards proved that it did come from the poi shop next door and not from Kaili.

The deceit practiced is not only extended to poi, but to the actions of everybody concerned, and in questioning the contacts as to the places visited by the unfortunate patients they are often told of places to which the affected ones had not been for months. This was particularly the case during the previous epidemic and caused endless trouble, worry and expense to the officials.

Yesterday Sheriff Jarrett and Doctor Shepard made an attempt to locate the place on King street, opposite the Waipilepo pumping station, where the last case developed. They found it after some difficulty and passing through the quarantine found the sick man in the front room of the house. After an examination they left with no information that another man was fatally sick in another room, which fact was carefully withheld from them by the other inmates. This second case was afterwards discovered by Doctor Pratt, general health officer of the board of health.

These people swore that they had got their poi from a neighboring house and that these people brought their supply from the Kaili poi factory. The latter fact was proved and every one else in the neighborhood fled around to volunteer the information that the patient had indeed taken poi from the neighbor's house. The officials were finally about to be convinced when a little Portuguese girl inadvertently admitted that a Chinaman had been delivering poi to the house. This quickened suspicion and Sheriff Jarrett placed one of his men on the job with the result that it has been proved that a Chinaman had taken poi to that house, as the girl said, and that their supply did not come from the Kaili poi factory.

MANY FILIPINOS COME FROM HILO

Yesterday morning when the Mauna Koa arrived in this port it was seen that she carried a large number of deck passengers. No less than one hundred and seventy-eight Filipinos and Koreans came to town on the steamer. Over one hundred of the passengers were Filipinos, and they nearly all hailed from Olan and Waikana plantations. Most of the Filipinos had gathered in Hilo a few days ago and many were the surmises as to their intentions.

The Olan police made it a point to visit Hilo and watch what the Filipinos were doing. One tall Filipino seemed to have some understanding with his countrymen and they appeared to look to him for advice.

It was at first thought that some steamer would attempt to pick up the laborers at a landing along the coast, but when it was seen that the Filipinos were bound for Honolulu, that idea was dropped.

BRAZIL TO IMPOSE EXPORT SUGAR DUTY

RIO JANEIRO, April 8.—The basis of a sugar valorization plan similar to that adopted for coffee has been arranged at a meeting of representatives of the Brazilian sugar producing states. A special tax of 55 reis is proposed on sugar exported through the port of Rio Janeiro.

The proceeds would be employed in the purchase of sugar in the states interested. The duty on Brazilian sugar is figured on the arroba, the equivalent of 25½ pounds avoirdupois. Fifty-five reis is equivalent to about 1.65 cents in the money of the United States.